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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,560	05/16/2001	Michael Bradley	US 1265/01	1511

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,560

Applicant(s)

BRADLEY ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 6 and 16-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

Specification

2. The abstract of the disclosure is objected to because “And” (line 1) must be replaced with “and”. Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claims 16-18 are objected to because of the following informalities: the spacing between claim numbers and characters are not proper. Appropriate correction is required.
4. Claim 6 is objected to because it includes reference characters, which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-14 and 17-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6, 449, 604 B1 (Hansen et al.), herein referred to as Hansen.

Referring to claim 1, Hansen discloses a method of displaying analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses causing a browser program to be opened on the server computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a page of the website (column 2, lines 62-67). Hansen discloses marking the page displayed in the first display frame with a first identifier and creating an interface call to a report server (column 5, lines 35-40). Hansen also discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36). Hansen discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-determined period of time, comparing the page displayed in the first display frame with the first identifier and, (f) if different, repeating the method from step (b) for the page displayed in the first display frame, or (g) if the same, resetting for a second of the pre-determined period of time and repeating the method from step (e) (column 9, lines 24-37).

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Referring to claims 2 and 3, Hansen discloses that the analytics are gathered from technical specifications of visitors to the website (column 6, lines 4-20).

Referring to claims 4 and 9, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the server computer (column 4, lines 32-34).

Referring to claims 5 and 8, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the report server (column 4, lines 32-34).

Referring to claims 6 and 10, Hansen discloses that step b is carried out by starting an initializing file configured to tag the page displayed in the first display frame with the first identifier and create the interface call to the report server (column 5, lines 25-34).

Referring to claim 7, Hansen discloses a computer software product for configuring a computer to display analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses launching an analytics module (column 5, lines 29-35). Hansen discloses causing a browser program to be opened on the server computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a reproduction of a page of the website (column 2, lines 62-67). Hansen discloses marking the page displayed in the first display frame with a first identifier and creating an interface call to a report server (column 5, lines 35-40). Hansen discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36). Hansen also discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-determined period of time, comparing a page identifier of the page displayed in the first display frame with the first identifier and if different, repeating the method from step (c) for the page displayed in

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the first display frame in order to update the report to match the page currently displayed or if the same, resetting for a second if the pre-determined period of time and repeating the method from step (f) until the page identifier differs from the first identifier (column 3, lines 4-9 and column 9, lines 24-37).

Referring to claim 11, Hansen discloses that the identifier is a cookie stored in the browser program (column 8, lines 7-8).

Referring to claim 12, Hansen discloses that the initializing file is an HTML file (column 5, lines 25-34).

Referring to claim 13, Hansen discloses that the analytics are displayed in graphical format (column 6, lines 12-15).

Referring to claim 14, Hansen discloses that the analytics are displayed in tabular format (column 6, lines 17-19).

Referring to claim 17, Hansen discloses that the report server and the server computer are the same (column 4, lines 32-34).

Referring to claim 18, Hansen discloses that the interface call is carried out by a common gateway interface script (column 8, lines 18-20).

Referring to claim 19, Hansen discloses that the page identifier is the uniform resource locator of the web page (column 3, lines 29-36).

Referring to claim 20, Hansen discloses that the page identifier is a unique identification label assigned to the web page (column 3, lines 29-36).

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen.

Referring to claims 15 and 16, Hansen does not disclose that pre-determined time is in the range of 0.1 seconds to 1 second or that the preferable time would be 0.5 seconds. It would have been obvious for one skilled in the art at the time of the invention to set the predetermined time within the range of 0.1 seconds to 1 seconds with a preference for 0.5 seconds. Hansen discloses a threshold value of T which may represent any value chosen by the developer of the system, wherein this T determines the predetermined time that is considered for changes to a website. Based on the need of the system and the users, the developer of the system would choose any value for the T, one of those values being within the range of 0.1 to 1 seconds with a preference for 0.5 seconds.

Conclusion

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method displaying web analytics.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

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Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

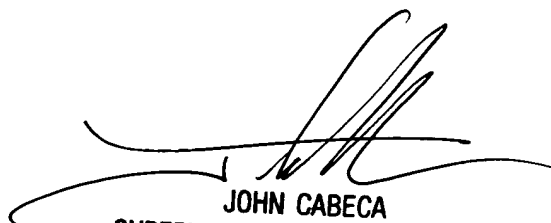
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
March 19, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2